

रजिस्टर्ड नं० पी० एस० एम० १४



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, २२ जनवरी, १९७४/२ माघ, १८९५

GOVERNMENT OF HIMACHAL PRADESH

LAW DEPARTMENT

NOTIFICATIONS

Simla-2, the 16th January, 1974

No. 5-31/72-LR.—The Himachal Pradesh Ceiling on Land Holdings (Amendment) Bill, 1973 (Bill No. 25 of 1973), after having received the assent of the President of India on the 1st January, 1974, is hereby published in the Rajpatra, Himachal Pradesh as Act No. 1 of 1974.

JOSEPH DINA NATH,
Deputy Secretary.

Act No. 1 of 1974.

THE HIMACHAL PRADESH CEILING ON LAND HOLDINGS (AMENDMENT) ACT, 1973

AN
ACT

*to amend the Himachal Pradesh Ceiling on Land Holdings Act, 1972
(Act No. 19 of 1973).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fourth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Himachal Pradesh Ceiling on Land Holdings (Amendment) Act, 1973.

(2) It shall be deemed to have come into force from the date of commencement of the Himachal Pradesh Ceiling on Land Holdings Act, 1972).

Amendment
of section 3.

2. In section 3 of the Himachal Pradesh Ceiling on Land Holdings Act, 1972 (hereinafter called the principal Act) the following amendments shall be carried out, namely:—

- (a) in clause (k) the words “but shall not include land under banana or guava gardens or vine-yards” shall be inserted after the words “agricultural purpose” and before the sign“; ;
- (b) clause (l) shall be omitted;
- (c) in clause (n) after the words “landowner” the sign“,” shall be inserted and thereafter for the words and “tenant” the words “tenant and mortgagee with possession” shall be substituted;
- (d) in clause (q) the comma and words, “and an adult daughter” shall be omitted;
- (e) in sub-clause (i) of clause (t) the words “recorded as such in the revenue record” shall be omitted; and
- (f) in sub-clause (ii) of clause (t) the word “or” appearing at the end of para (b) and para (c) shall be omitted.

Amend-
ment of
section 4.

3. In section 4 of the principal Act, the following amendments shall be carried out, namely:—

- (a) in sub-section (4) for the words “or daughter of a landowner” the words “of a person” shall be substituted;
- (b) for sub-section (5) the following sub-section (5) shall be substituted, namely :—

“(5) If a person holds land of two or more categories described in clauses (a), (b) and (c) of sub-section (1) and sub-section (2) of this section then the permissible area shall be determined on the following basis:—

- (i) in the areas mentioned in sub-section (2) of this section one acre of land mentioned in clause (a) of sub-section (1) shall count as one and a half acres of land mentioned in clause (b) of sub-section (1) and seven acres of land mentioned in clause (c) of sub-section (1);
- (ii) in the areas other than the areas mentioned in sub-section (2) of this section, one acre of land mentioned in clause (a) of sub-section (1) shall count as one and a half acres of land mentioned in clause (b) of sub-section (1), and three acres of land mentioned in clause (c) of sub-section (1):

Provided that on the basis of ratio prescribed in clauses (i) and (ii), the permissible area shall be converted into the category of land mentioned in sub-section (2) and in clause (c) of sub-section (1) as the case may be, and the total area so converted shall not exceed 70 acres in case of clause (i) and 30 acres in case of clause (ii)".

4. For clause (c) of section 5 of the principal Act, the following clause (c) and explanation shall be substituted, namely:—

Amend-
ment of
section 5.

“(c) lands belonging to Land Mortgage Banks, the State and Central Co-operative Banks and any other Banks.

Explanation.—For the purpose of this clause ‘any other Banks’ mean a banking company as defined in section 5 of the Banking Regulation Act, 1949, and includes the State Bank of India constituted under the State Bank of India Act, 1955, as subsidiary Bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, and a “corresponding new bank” as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, the Agricultural Refinance Corporation, and Agro-Industries Corporation, Agricultural Finance Corporation Ltd., a company incorporated under the Companies Act, 1956, and any other financial institution notified by the State Government in this behalf.

5. For clause (ii) of sub-section (1) of section 14 of the principal Act, the following clause (ii) shall be substituted, namely:—

Amend-
ment of
section 14.

“(ii) for the land in excess of 10 acres and below 30 acres, seventy-five times the land revenue (including rates and cesses); and

6. After sub-section (2) of section 15 of the principal Act, the following sub-section (2-A) shall be inserted, namely:—

Insertion
of sub-sec-
tion (2-A)
of section
15.

“(2-A) For making the allotment of the surplus land under sub-section (2), the first preference among landless persons shall be given to the members of Scheduled Castes and Scheduled Tribes”.

7. In sub-section (3) of section 17, the principal Act, for the word and figure “section 8” the word and figure “section 9” shall be substituted.

Amend-
ment of
section 17.

8. The Himachal Pradesh Ceiling on Land Holdings (Amendment) Ordinance, 1973 is hereby repealed:

Repeal and
savings.

Provided that anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

10 of 1949
23 of 1955
38 of 1956
5 of 1970
1 of 1956

of 1973

Simla-2, the 16th January, 1974

No. 5-13/73-LR.—The Himachal Pradesh General Sales Tax (Amendment) Bill, 1973 (Bill No. 18 of 1973) after having received the assent of the Governor, Himachal Pradesh, on the 11th January, 1974, under Article 200 of the Constitution of India is hereby published in the Rajpatra, Himachal Pradesh, as Act No. 2 of 1974.

JOSEPH DINA NATH,
Deputy Secretary.

Act No. 2 of 1974.

**THE HIMACHAL PRADESH GENERAL SALES TAX (AMENDMENT)
ACT, 1973**

AN
ACT

further to amend the Himachal Pradesh General Sales Tax Act, 1968 (Act No. 24 of 1968).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fourth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Himachal Pradesh General Sales Tax (Amendment) Act, 1973.

(2) It shall be deemed to have come into force on the twelfth day of April, 1971.

Amend-
ment of
section 2.

2. In section 2 of the Himachal Pradesh General Sales Tax Act, 1968 (hereinafter referred to as the principal Act), the following amendments shall be carried out:—

(a) for “.” occurring at the end of clause (o), the “;” shall be substituted; and

(b) after clause (o) so amended, the following clause (p) shall be added namely:—

“(p) “small scale industries” means all industrial units with a capital investment of not more than rupees 7.5 lakhs irrespective of the number of persons employed.

Explanation.—In this clause, ‘Capital Investment’ means investment in plant and machinery only”.

Amend-
ment of
section 42.

3. In sub-section (1) of section 42 of the principal Act, after the words “cottage industries” the words “or small scale industries” shall be inserted.